

Notice of Allowability

Application No.

09/663,793

Examiner

John L. Shew

Applicant(s)

MCALLISTER ET AL.

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment of 07/16/2004.
2. ☒ The allowed claim(s) is/are 1-87.
3. ☒ The drawings filed on 16 July 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Specification

The disclosure objection of

-- Page 21 TABLE 1, State "Negotiating" and Transition Event "Negotiation Done" indicates a resulting undefined state. This is in conflict to FIG. 2 which specified a resulting state of "Exchanging". --

is withdrawn in view of the remarks presented by the applicant that Table 1 only displays those aspects of the existing neighboring peer Finite State Machine of the PNNI protocol.

Drawings

1. The replacement drawings were received on 07/16/2004. These drawings are accepted.

Claims

The amendments presented for claims 9, 10, 31 and 32 are accepted and the objection in regards to their being indefinite is overcome.

The examiner has considered the arguments presented for overcoming the rejection of independent claims 1, 23, 64 and 76. Upon review of the PNNI specification upon which Rochberger et al. inherently incorporates, the limitation of topology state information transfer is performed without withdrawal of the advertisement of local state information is not presented in the PNNI specification. In fact the opposite is cited in the PNNI specification, wherein the advertisement of local state information is withdrawn during the topology state information transfer. The examiner withdraws the claim rejections.

Allowable Subject Matter

2. Claims 1-87 are allowed.

3. The following is a statement of reasons for the indication of allowable subject matter:

The prior art search did not disclose the limitation of topology state information transfer between nodes without withdrawal of advertisement local state information. This cites

that the topology information transfer and the advertisement of local state information can both occur simultaneously. In general the topology state information transfer must be completed first before proceeding with advertisement of local state information.

Citation of Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Patent 6473408, Rochberger et al. discloses a system of building hierarchy in an ATM PNNI network.

Patent 5687168, Iwata discloses a link state routing device in an ATM network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L Shew whose telephone number is 571-272-3137. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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